

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION, :

Plaintiff, :

v. :

MOISES SABA MASRI and
ALBERT MEYER SUTTON, :

Defendants. :

04 Civ 1584 (RJH)

**DECLARATION OF RYAN FARNEY IN SUPPORT OF PLAINTIFF'S
MEMORANDUM OF LAW IN OPPOSITION TO
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

I, Ryan Farney, declare and state the following:

1. I am an attorney admitted to practice before this Court for purposes of this action and represent plaintiff Securities and Exchange Commission ("SEC") in this action. I offer this declaration in support of the SEC's Memorandum of Law in Opposition to Defendants' Motion for Summary Judgment in order to introduce certain exhibits into the record.

2. Attached hereto as Exhibit 1 is a true and complete copy of the transcript of defendant Albert Meyer Sutton's ("Sutton") investigative testimony before the SEC on March 14, 2002.

3. Attached hereto as Exhibit 2 is a true and complete copy of the transcript of defendant Moises Saba Masri's ("Saba") investigative testimony before the SEC on February 27, 2002.

4. Attached hereto as Exhibit 3 is a true and complete copy of the Expert Report of Robert W. Lowry pursuant to Federal Rule of Civil Procedure 26(a)(2)(B), dated February 10, 2006.

5. Attached hereto as Exhibit 4 is a true and complete copy of the monthly account statement for a joint brokerage account at Middlegate Securities Limited (“Middlegate”) in the names of Alberto Saba and Moises Saba for the period July 31, 1999 through August 27, 1999.

6. Attached hereto as Exhibit 5 is a true and complete copy of the Expert Report of Jeffrey H. Harris, Ph.D. pursuant to Federal Rule of Civil Procedure 26(a)(2)(B), dated February 10, 2006.

7. Attached hereto as Exhibit 6 is a true and complete copy of the transcript of Esther Verdiger’s deposition in this matter on June 9, 2005.

8. Attached hereto as Exhibit 7 is a true and complete copy of a New York Stock Exchange Merged Order report, listing orders for shares of TZA (with respective quantities, prices and limits) on August 20, 1999 submitted by Sutton to Ira Sabin for execution on behalf of Saba’s Tentafin Limited account at Middlegate.

9. Attached hereto as Exhibit 8 is a true and complete copy of Sutton’s original order ticket for Saba’s purchases of 200,000 shares of TZA on August 20, 1999.

10. Attached hereto as Exhibit 9 is a true and complete copy of Sutton’s original order ticket for Saba’s purchases of 200,000 shares of TZA on August 20, 1999, as it appeared after Esther Verdiger wrote “Not Held” on the ticket.

11. Attached hereto as Exhibit 10 is a true and complete copy of the transcript of Ira Sabin’s deposition in this matter on August 25, 2005.

12. Attached hereto as Exhibit 11 is a true and complete copy of the Wells submission made to the SEC on behalf of Saba, Sutton and Tentafin Limited on June 11, 2003.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 19th day of June, 2006.

s/Ryan Farney
Ryan Farney